

Middletown Zoning Board Minutes

September 22, 2015

Called to order at 7:00 PM

Administrative: Roll Call - Chairman Tom Silveira; Vice Chair Jim Miller; Secretary Stephen MacGillivray; Olin Gambrell; Chris Sousa; Henry Pine (First Alternate); absent John Peixheino (Second alternate); absent, Eric Kirton (Third Alternate).

Adoption of Minutes: The Minutes from the August 25, 2015 meeting were reviewed. Olin Gambrell moved to accept and adopt the minutes and Jim Miller seconded. The minutes were approved by a vote of 5-0.

Continuances/Withdrawals:

Petition of: Aquidneck Avenue Equities, LLC- for a Variance from Section 1304- to allow 298 parking spaces where 198 spaces are permitted. Said real estate located at 850 Aquidneck Ave and further identified as Lot 92C on Tax Assessor's Plat 114. Robert Silva appears on behalf of David Martland. The petitioner is awaiting Planning Board review. Accordingly, the matter is continued to October 27, 2015.

Full Hearings:

Petition of: Paul K Rosbolt (owner) John & Lorraine McDonald (applicants) - for a Special Use Permit from Article 16- to maintain an

Accessory Family Dwelling unit. Said real estate located at 21 JH Dwyer Dr and further identified as Lot 425 on Tax Assessor's Plat 105. John and Lorraine McDonald appear and present their application. Stephen MacGillivray moves for approval and Jim Miller seconds. The application is granted by a vote of 5-0.

Petition of: Samuel J Shoppell- for a Special Use Permit from Article 16- to allow an Accessory Family Dwelling unit. Said real estate located at 28 Reardon Dr and further identified as Lot 90 on Tax Assessor's Plat 113. Samuel J. Shoppell presents his case. He testifies that needs accessory unit for father who suffers from dementia. Jim Miller moves for approval and Chris Sousa seconds. The application is granted 5-0.

Petition of: Smudge Co., LLC- by their attorney Brian Bardorf- for a Variance from Sections 1301(B), 1302 & 1304- to allow an off-site parking lot with 13 spaces where 17 are required and a 10.5' wide landscaped buffer along the westerly property line where 20' is required. Said real estate located at 5 Hart St and further identified as Lot 87 on Tax Assessor's Plat 107SW. Attorney Brian Bardorf testifies after being asked to be sworn in. The front parking, to the extent that it exists, has been condemned as part of a redesign as part of 2-mile corning. The petitioner wants to keep existing hedge instead of 20' setback. Jim Miller moves for approval and Olin Gambrell seconds. The application is granted by a vote of 5-0.

Petition of: David M. Czarnecki- for a Variance from Sections 603, 701 & 802B to demolish the existing non-conforming dwelling and construct a 1,484 sq. ft. two story single family dwelling with a front yard setback of 20.3' where 25' is required. Said real estate located at 1 Stimpson St and further identified as Lot 65 on Tax Assessor's Plat 116SE. David Czarnecki presents his case. Stephen MacGillivray moves for approval and Chris Sousa seconds. The application is granted by a vote of 5-0.

Petition of: Amy H. Rose- for a Variance from Sections 603, 701 & 803G- to construct an 11' X 12' one story addition and a 10'x 20' covered porch with a front yard setback of 29' where 40' is required and a left side yard setback of 11.8' where 20' is required and also construct a 14' X 14' deck with a rear yard setback of 40.2' where 50' is required and a left side setback of 18' where 20' is required. Said real estate located at 418 Wolcott Ave and further identified as Lot 5 on Tax Assessor's Plat 122. Steve Younis presents his case. Stephen MacGillivray moves to approve the application and Jim Miller seconds. The application is granted by a vote of 5-0.

Petition of: Philip John & Sandra B Rondina- by their attorney Robert M Silva, Esq- for a Variance from Sections 603 & 701- to allow a two lot subdivision with less than the required lot width/frontage and minimum lot size; to allow the occupation of a side yard and rear yard setback by two existing dwelling units; to allow a rear yard setback of 22' where 60 ' is required on lot 60 and a side yard setback of 20.9'

where 30' is required on proposed parcel A. Said real estate located at Cordeiro Terr and further identified as Lot 60 on Tax Assessor's Plat 126. Robert Silva presents the case. Stephen MacGillivray moves to approve with the conditions that are set forth in the decision of the Planning Board and Olin Gambrell seconds. The application is approved by a vote of 4-1.

Petition of: Wilma M Cinotti- for a Variance from Section 603, 701 & 803G- to construct two dormers and a covered front porch with a right side yard setback of 11.1' and a left side yard setback of 16.3' where 20' is required, and a front yard setback of 23.3' where 40' is required. Said real estate located at 504 Jepson Lane and further identified as Lot 54 on Tax Assessor's Plat 111. Applicant presented her case indicating that she would like to increase the livability of the second story of the house. Olin Gambrell moves to approve and Stephen MacGillivray seconds. The application is granted by a vote of 5-0.

Meeting is adjourned at 7:20 PM